

Exhibit 1

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1

2 UNITED STATES DISTRICT COURT

3 SOUTHERN DISTRICT OF NEW YORK

4 -x

5 BENJAMIN ASHMORE,

6 Plaintiff,

7 -against-

11 Civ 8611
(JMF)

8 CGI GROUP, INC. AND CGI FEDERAL
9 INC.,

10 Defendants.

11 -x

13 DEPOSITION of TONY GORRIS, taken by
14 Defendants, pursuant to Notice, held at the
15 offices of Kaiser, Saurborn & Mair, P.C., 111
16 Broadway, New York, New York, on Thursday, June
17 13, 2013, commencing at 10:25 a.m., before
18 Margaret M. Harris, a Shorthand (Stenotype)
19 Reporter and Notary Public within and for the
20 State of New York.

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A P P E A R A N C E S:

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KAISER, SAURBORN & MAIR, P.C.
Attorneys for Plaintiff
111 Broadway
New York, New York 10006

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BY: DAVID N. MAIR, ESQ.

7

8

BOND SCHOENECK & KING
9 Attorneys for Defendants
111 Washington Avenue
10 Albany, New York 12210-2211

11

BY: STUART KLEIN, ESQ.

12

13

P R E S E N T:

14

Marybeth Carragher

15

Jacquenette M. Holmes, Esq.

16

Benjamin Ashmore

17

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IT IS HEREBY STIPULATED AND
AGREED that the filing and sealing of
the within deposition be, and the same
are hereby waived;

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IT IS FURTHER STIPULATED AND
AGREED that all objections, except as
to the form of the question, be and
the same are hereby reserved to the
time of the trial;

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IT IS FURTHER STIPULATED AND
AGREED that the within deposition may
be sworn to before any Notary Public
with the same force and effect as if
sworn to before a Judge of this Court;

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4

2 T O N Y G O R R I S, called as a witness,
3 having been first duly sworn/affirmed by
4 Margaret M. Harris, a Notary Public within
5 and for the State of New York, was examined
6 and testified as follows:

7 EXAMINATION

8 BY MR. MAIR:

9 Q Good morning, Mr. Gorris. My
10 name is David Mair. I am going to be
11 questioning you today in a deposition.

12 If at any point during the
13 deposition you don't understand the question or
14 you don't hear the question, then let me know
15 and I'll rephrase it or repeat it, as
16 appropriate.

17 A Okay.

18 Q Another couple of ground rules.
19 Just if you can answer all questions verbally
20 instead of by a nod or a gesture, that will help
21 the court reporter take it down.

22 In addition, if you can wait for
23 the question to be fully completed before
24 answering, again, that will make sure that we
25 get an accurate record today. I will try to do

1

Gorris

5

2

the same for you with your answers.

3

A Okay.

4

Q Can you state your full name for
the record?

6

A Tony Gorris.

7

Q And where do you currently
reside?

9

A Lakewood, Ohio.

10

Q And where do you currently work?

11

A CGI Federal.

12

Q And which office?

13

A The Cleveland office.

14

Q Can you run through for me your
educational background?

16

A Starting with college?

17

Q Starting with college, yes.

18

A I did my undergrad work at the
University of Dayton. I got a bachelor's in
political science.

21

And then I got a joint law degree
and master's in public administration at
Cleveland State University.

24

I graduated from Dayton in '92
and Cleveland State in '96.

1

Gorris

6

2

Q Was your joint master's and law
degree done full time or part time?

4

A Yes.

5

Q Were you working at the same time
as you were taking that degree?

7

A Part time.

8

Q Part time where?

9

A A variety of odd jobs.

10

11

I don't know -- do you want me to
go into those?

12

13

Q You can tell me by category, if
you want to tell me by category.

14

15

A The first two years it was just
cleaning jobs. I did some painting jobs.

16

17

And then later on I worked for
about a year for Cleveland State with their
master's program. They had a grad assistant
that I received.

20

21

And then following that I worked
for some attorneys in Fairview Park, Ohio,
Hildebrandt, Williams & Farrell.

23

24

Q And, I'm sorry, what year did you
say you got your bachelor's?

25

A I got my bachelor's in '92.

1 Gorris

7

2 Q Between '92 and starting your law
3 degree at Cleveland State, did you work
4 anywhere?

5 A It was a four-year program.

6 Q So you went straight from one to
7 the other?

8 A Correct.

9 I had a summer job of labor for a
10 waterproofing company.

Q What was your first job after
Cleveland State after you graduated?

13 A I continued working for
14 Hildebrandt, Williams & Farrell for
15 approximately two years.

Q Did you take the bar exam?

17 A I did.

18 Q And did you pass it?

19 A Yes. I was admitted to the bar
20 in October of '96.

21 Q To the Ohio bar?

22 A Yes.

Q Are you admitted in any other
states currently?

25 Let me rephrase that.

1

Gorris

2

Have you been admitted in any

3

other states?

4

A No.

5

Q Are you still a member of the
Ohio bar?

6

A My license is inactive.

7

Q So you, after graduating from law
school, you worked at the Hildebrandt law firm
for two years, you said?

8

A Approximately, yes.

9

Q What type of work did you do
there?

10

A Research. They focus --
research, writing briefs. I'm trying to
remember, it's been a while.

11

They were a family law practice
in the suburbs. So just a lot of general
different types of things, small criminal cases,
domestic cases.

12

Q So it's fair to say the area of
law in which you worked was primarily family law
with some criminal law?

13

A Yes.

14

DUI types or small-level cases,

8

1 Gorris

9

2 misdemeanors.

5 A I worked for a company called
6 Shaker Square Area Development.

7 Q What type of business was that?

8 A It was nonprofit development
9 corporation.

10 Q And why did you leave
11 Hildebrandt?

12 A I didn't find the work
13 interesting.

14 Q So to get into other areas of
15 law?

16 A Yes -- it wasn't -- I was -- when
17 I was -- I was not planning on practicing my
18 entire career.

19 Q When you went to work at Shaker
20 Square, what did you do there?

21 A I worked -- we did -- we worked
22 with a commercial district, I worked with that.
23 They received community development block grant
24 funds from the City of Cleveland.

So we helped the commercial

1

Gorris

10

2

district market themselves and to do
beautification programs and to get grant monies.

4

We also had a couple of
development projects, commercial and
residential, some that were in the process of
being developed, bought by our company to be
developed. They had gone into disrepair and
others that we currently owned that we were
managing, so property management was an aspect
of it, as well.

10

11

And then from time to time I
would do some legal work for them, some
evictions, things of that nature.

12

13

Some property tax, if there were
issues with property taxes, things like that.

14

Q So your position was a
combination of legal and nonlegal work?

15

A Correct.

16

I would say it was about
90 percent nonlegal.

17

Q What was your role on the
development, property development and property
management side?

18

A It would, for the development, it

1

Gorris

11

2

was usually after purchase, working to get the
units rented.

4

And the one I was most directly involved with was an apartment building, working to get the units renovated, because it was in such a state of disrepair, and finding contractors. And, yeah, just getting it rehabilitated and ready for management.

10

Q How long did you work at Shaker Square?

12

A I would say approximately two years, two to three years, two to three years.

14

Q And that was approximately '98 to 2001; is that correct?

16

A I stated with CGI in July of 2000. So it would have been, it was more than two years, but less than three, because I remember I went through two pay cycles.

20

Q Do you remember when you left Hildebrandt?

22

A No. Approximately -- no.

23

Q Did you have a title at Shaker Square?

25

A I cannot remember it.

1

Gorris

12

2

Q So in July of 2000 you began work
3 at CGI?

4

A Yes.

5

Q Why did you leave Shaker Square?

6

A Looking for more growth
7 opportunity. It was a small corporation.

8

Q And you went to work immediately
9 at CGI after that?

10

A Yes.

11

Q What was your first position at
12 CGI?

13

A It was in a quality assurance
14 role.

15

Q Do you remember the title?

16

A Quality assurance specialist, I
17 believe.

18

Q How long did you have that
19 position?

20

A Four to five months.

21

Q Who did you report to?

22

A Kind of a blend, because it was a
23 startup between Marybeth and George Pilla, if I
24 remember correctly.

25

Q Were you based out of the

1

Gorris

13

2

Cleveland office?

3

A Yes.

4

Q Have you always worked out of the

Cleveland office?

5

A No. No. One year out of our

Oakland office.

6

Q What year was that?

7

MR. KLEIN: You can answer

the question.

8

Go ahead.

9

A That would have been 2004 to

10 2005.

11

MR. KLEIN: David, so

there is no confusion, I just

want to make sure that -- I don't

know if CGI, I don't think he has

changed employers, so to speak,

but I think there's some mergers

and acquisitions that we talked

about yesterday, so Tony may be

confused.

12

I just want the record to

13

be as clear as possible.

14

Q When you say you went to work at

1

Gorris

14

2

CGI in July of 2000, was the entity that you
3 worked for then called CGI?

4

A No, it was not.

5

Q What was it called?

6

A It was called IMR Global.

7

Q Was IMR Global acquired by CGI at
8 some point?

9

A Yes.

10

Q Do you recall when that was?

11

A I don't recall the exact date.

12

Q And did your employment with the
13 company overall continue after the acquisition
14 of IMR by CGI?

15

A Yes.

16

Q It continued uninterrupted?

17

A Yes.

18

Q And throughout your time working
19 for IMR and/or CGI, you have always worked in
20 the Cleveland office with the exception of the
21 one year that you told us you worked in Oakland?

22

A Correct.

23

Q Can you just describe generally
24 your job duties in the quality assurance role?

25

A At that time we had just, I was

1

Gorris

15

2

hired right after they won the Ohio contract and
it was, the job responsibility at that point in
time was to set up the QA responsibilities and
the QA roles and then transitioned into actually
doing the quality assurance.

7

Q You were saying the QA roles?

8

A Yes, I'm sorry. QA as in quality
assurance.

10

Q And this was on the Ohio PBCA
project?

12

A Correct.

13

Q And CGI or, I guess, IMR at that
point had just won Ohio PBCA work; is that
correct?

16

A Yes.

17

Q And you said you were in the QA
position for six or seven months?

19

A Correct.

20

Q What was your next position?

21

A Regional manager.

22

Q For what region?

23

A It initially was Lucas region and
Stark.

25

Q S-T-A-R-K?

1

Gorris

16

2

A Yes.

3

Q Stark region?

4

A Yes.

5

Q What are the Lucas and Stark
regions?

7

A The Ohio contract at that time
was divided into four regions, and the regions
were named after the larger counties, and Lucas
was the county in the Toledo area and Stark was
the county in the Canton, Ohio area.

12

Q So you were regional manager for
two regions of the Ohio PBCA?

14

A Correct.

15

Q How long did you have that
position?

17

A I had that until approximately
early 2004 -- I'm sorry 2003, early 2003.

19

So about three years.

20

And I also did the Trumbull
region, as well.

22

Q Trumbull?

23

A Yes.

24

Q So if I'm doing the math right,
you started at CGI or the predecessor company in

1

Gorris

17

2

July of 2000, you were in the QA role for six or
3 seven months, which takes us to early 2001.

4

So am I correct that you were in
5 the regional manager role for approximately two
6 years?

7

A Yes, approximately two years.

8

Q Until early 2003?

9

A Yes. General dates, yes.

10

Q What were your job
11 responsibilities as regional manager?

12

A I was responsible for dealing
13 with our subcontractors who did our management
14 reviews.

15

I was responsible for reviewing
16 those management reviews and making sure they
17 were compliant and run out timely.

18

I was responsible for working
19 with our central staff, which was IMR, or CGI
20 staff. They were responsible for processing
21 vouchers, which were subsidy payments for
22 owners, and they were also responsible for doing
23 contract renewals and rent adjustments.

24

Those were the big tasks.

25

Q To whom did you report during

1

Gorris

2

that period as regional manager?

3

A Marybeth Carragher.

4

Q You reported directly to her?

5

A Yes.

6

Q From that point onwards until
today, have you continuously reported directly
to Ms. Carragher?

9

A Yes.

10

Q And have you ever had a legal
role at CGI?

12

A No.

13

Q Or at IMR?

14

A No.

15

Q You have only been on the
business side?

17

A Yes.

18

Q In terms of your corporate title
as regional manager, was your corporate title
that of manager?

21

A Yes.

22

Q What was your next role at CGI?

23

A It was area manager.

24

Q Did you then supervise a number
of regional managers?

1

Gorris

19

2

A Yes.

3

Q Who reported directly in to you?

4

A Yes.

5

6

Q Did your corporate title remain
that of manager?

7

A Yes.

8

9

Q During what period were you area
manager?

10

11

A Approximately early 2003 until
May 2004.

12

13

Q Were you the area manager for all
of Ohio or only a portion?

14

15

16

A Ohio is divided into two areas,
if you will, the Columbus area and the Cleveland
area.

17

18

I was responsible for the
Cleveland area.

19

20

Q And, again, your duties were
limited to PBCA duties; is that correct?

21

22

A There was nothing substantial
outside the PBA that I can recall.

23

24

Q PBCA?

A PBCA, yes.

25

Q After area manager, what was your

1

Gorris

20

2

next job?

3

A I became the transitional team manager, if you will, for the California PBCA contract, which evolved into client rep.

6

Q So you began as transition team manager and than you became client representative?

9

A Yes.

10

Q Did you continue to have any responsibilities for Ohio during that time?

12

A Only as I transitioned out and then in -- I've since become involved in Ohio again, but in 2004 for a number of years my main PBCA focus was just California.

16

Q Had CGI just won the California PBCA?

18

A Yes.

19

Q And that was the transition role that you played?

21

A Yes.

22

Q In terms of client representative, can you describe what was involved in that role?

25

A I'm sorry. Can you repeat the

1

Gorris

21

2

question?

3

Q Yes.

4

5

In terms of being the client
representative for California, what was involved
in that role?

6

7

A My role with the California
contract is, one, for overall management of the
contract.

8

9

All of the team in California
reports, except all of the operations team in
California reports directly to myself, and then
as far as client representative, I also deal
with the client as far as making sure that our
contract, the requirements of our contract are
being met, that they are happy with our
performance, and, of course, they are given the
information from us to pass timely and to report
back to their board.

10

11

Q How long did you have the client
representative, area client representative role?

12

13

A I am still responsible for the
California contract in all of those aspects.

14

15

Q Did your duties change at some
point?

1

Gorris

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3

I guess the question is, did they
expand at some point for California?

4

(Whereupon, at 10:45 Ms.

5

Holmes left the room.)

6

A For California?

7

8

9

10

11

During the startup, I would say
during the initial four to six months, I was
mostly responsible on the operations side, and
Marybeth Carragher had a bigger role on the
client side.

12

13

Q In 2004 you began your role as
client representative for California?

14

A Yes.

15

16

Q What was your next position or
change or expansion of position?

17

18

19

20

21

A In 2005, approximately 2005,
honestly I don't recall the specific date, for
about a year I served as the client
representative, similar, if not the exact same
role with the Florida PBCA.

22

23

Q What was your next position?

24

25

A I'm sorry, actually in probably,
before that, some of these things blend together
because the dates overlap.

1 Gorris

23

In late 2005, I served as, I
guess you would call it a transitional team
leader, for lack of a better term, for the New
York PBCA. I was very involved with that for
about two years.

7 Q That was when CGI won the
8 subcontract of work for New York?

9 A Yes.

10 Q So it sounds like you've had
11 duties that have sort of been added and
12 subtracted over a period of time?

13 A Yes.

14 Q Can you continue the description
15 of that until today so we get an overview?

16 A Sure.

17 So in 2005, beginning in
18 approximately September of 2005, I added the
19 transitional team roles for New York.

Initially I was responsible for
the bringing on of the work in process and also
with the identification and hiring of staff.

As that went to the, the contract went live, my focus became more on the team that was doing the management reviews, and I worked

1

Gorris

24

2

directly with that team, just getting them up to speed on the compliance requirements and getting the managers comfortable with what their roles were and how to use our systems and just understanding all the different compliance requirements that are part of that.

3

During that period I also, probably in about early 2006 I became involved with the Florida PBCA for about a year working directly with the state manager and the client. It was a role similar to California, although I would say I was much less involved with Florida than I was with California. It wasn't a startup.

4

Q Did you continue having involvement with California and New York when you also had involvement with Florida?

5

A Yes.

6

Q So what was the next change in your role?

7

A For New York I was involved for about two years. So I would -- I don't know if you need the end date, I don't know that I would remember the end date.

1

Gorris

25

2

For Florida, I was involved with

3

that for about a year.

4

And then I would say the next,

5

sometime during that period my role changed

6

from, to director of consulting services, and we

7

began to look at what was coming up with the

8

recompete.

9

I don't recall the date of when

10

we actually started looking at that hard, but

11

that was an area where I became more involved in

12

October of -- and this wasn't that long ago,

13

2012, I became -- no, I'm sorry, October 2011, I

14

took over responsibility for client management

15

and operations for the Ohio and D.C. PCBA

16

operations.

17

(Whereupon, at 10:50 a.m.,

18

Ms. Holmes enters the room.)

19

Q You took that over from Tracey
Rudy?

21

A Yes.

22

Q When she left the company?

23

A Yes.

24

Q When did you become director of
consulting services?

1

Gorris

26

2

A I believe it was 2006.

3

Q And when you became director, did
4 your duties change in terms of your client
5 relationship management duties with various
6 state PBCA work?

7

A No.

8

Q So it was a change in title?

9

A Yes. My duties had changed.
10 It was the title catching up to
11 the duties, I believe.

12 Q Up until 2006, your corporate
13 title was that of manager?

14 A No. Actually, in 2005 for about
15 a year I had the, a year to a year and a half, I
16 guess, I had the title of executive consultant.

17 Q And that was a higher title than
18 manager; is that correct?

19 A Yes. It's my understanding, yes.

20 Q If you are not sure, then you can
21 tell me.

22 I guess my question is, was it a
23 higher title or a title --

24 A It was considered a higher title.

25 Q -- that was a similar level in

1

Gorris

2

the hierarchy?

3

A I'm sorry?

4

Q Was it higher or a similar level
of the hierarchy or lower?

6

A It was considered in our group a
higher title.

8

Q Your group being?

9

A The practice that reported
through Marybeth Carragher, and I guess at that
time George Pilla.

12

Q So the BPS group?

13

A Yes.

14

Q When you became an executive
consultant, was there a salary increase as a
result of that?

17

A Yes.

18

Q So you held that for about two
years prior to becoming director?

20

A Approximately, yes.

21

Q Now, in terms of the states that
you have had responsibility for from 2006
onwards, can you just list for me the states
that you have had responsibility for during some
or all of that time?

27

1

Gorris

28

2

A Sure.

3

4

For our PBCA operations, I had responsibility for, responsibility, I'm sorry, can I ask you a clarifying question?

5

Q Sure.

6

7

A When you say "responsibility for," do you mean the entire operations

8

responsibilities or any involvement in?

9

10

Q Let's start off with entire operations responsibility?

11

12

A Okay.

13

14

I have had entire operations responsibility in the past or currently for California, Florida, D.C., the District of Columbia and Ohio.

15

16

Q During what period did you have that for California?

17

18

A I would say approximately October 2004 through, and I still have that responsibility.

19

20

Q Florida?

21

22

A I had it for about a year. I don't recall the exact dates. Around 2006, 2007.

23

24

25

1

Gorris

2

Q And when did you have
responsibility for D.C.?

4

A That began in approximately
October 2011.

6

Q And it continues?

7

A Yes.

8

Q And Ohio?

9

A That began approximately October
2011 and that continues.

11

Q Have you, during the time that
you have been director, have you had any
responsibilities outside of the PBCA work?

14

A Yes.

15

Q What responsibilities?

16

A I've had responsibilities --
well, most recently I'm involved with the State
of New York, with their Sandy recovery project.
I am working with their group that is doing the
call center.

21

Q Have you had responsibility for
other non-PBCA consulting work?

23

A That would be an example of it,
the Sandy recovery.

25

Also I have had responsibilities

1

Gorris

30

2

for short projects that we did with the Chicago
Housing Authority.

4

I have had business development responsibilities, and I know, but can't recall the exact requirements of the work that I have had other responsibilities, as well, both, I know definitely within CGI where I participated in teams just that have looked at ways to do things better within CGI.

10

Q Have you headed the pursuit of any work other than the ones you have listed, beyond the PBCA?

14

MR. KLEIN: Object to the form.

15

Q So other than the Chicago Housing Authority and the Sandy recovery project, have you been the person leading a pursuit for other work, whether you won it or didn't win it?

20

A I have never led a formal pursuit at CGI.

22

Q Have you been on teams that have been involved in pursuits?

24

A Yes, I have.

25

Q And who have those teams been led

1

Gorris

2

by?

3

A I have been involved with the
4 PBCA pursuit and that team was led by Marybeth
5 Carragher.

6

I do not recall outside of PBCA
7 any additional ones that I have been involved
8 with.

9

Q And the PBCA, you are talking
10 about the rebid by HUD?

11

A Both the rebid and looking at
12 ways to grow our business prior to that.

13

Q For example, by winning New York?

14

A I wasn't involved in New York,
15 but we had at times looked and spoken with other
16 jurisdictions to see if they were interested in
17 our services, such as Southern California.

18

Q And these were discussions with
19 public housing authorities to see whether they
20 may be interested in having CGI replace the
21 current subcontractor that they were working
22 with?

23

MR. KLEIN: Object to the

24

form.

25

Q Is that correct?

1

Gorris

2

A In some cases, yes, they were sometimes state agencies, they were sometimes doing that work themselves.

5

They didn't necessarily have

6

subcontractors.

7

Q During the New York transition, did you have any direct involvement with anyone

9

at HUD?

10

A Yes, but limited.

11

Q Who did you deal with at HUD?

12

A I was -- I was never the main contact with HUD.

14

I would be on e-mails or would

15

have to forward things from time to time.

16

I quite honestly don't recall the

17

names.

18

Q What was the reason that you were working out of the Oakland office for a year?

20

A We had won the contract in May of 2004. We had no staff out there. We had no office.

23

I was offered the opportunity to live out there, so they had a presence out there.

24

25

32

1

Gorris

33

2

Q Did you do anything to prepare
for today's deposition?

4

A Other than meet with the
attorneys prior.

6

Q So without telling me what was
said in the meeting, how many times did you meet
or speak with the attorneys for the purposes of
preparing for today's deposition?

10

A Twice, I believe.

11

Q Once this morning?

12

A Yes.

13

Q For about an hour?

14

A I don't know the time; half hour
maybe.

16

And once approximately five days
ago.

18

Q Was that in person or by phone?

19

A The one today in person, the
previous one by phone.

21

Q How long did the previous phone
call last?

23

A Twenty minutes maybe.

24

Q Have you reviewed any documents
in preparation for today's deposition?

1

Gorris

34

2

A No.

3

4

5

Q Have you in the last six months reviewed any documents relating to the HUD rebid process?

6

7

8

A Only -- well, the rebid process is ongoing, so I am continuing looking at documents related to the rebid process.

9

10

Q So let me change the question then.

11

12

13

Have you looked at any documents from 2010 relating to the rebid process in the last six months?

14

15

16

A The only time I recall looking at documents related to the rebid process was when I was pulling them in a request for information.

17

18

Q From the attorneys for this case?

A Yes.

19

20

Q What information did you pull for the attorneys?

21

22

A I pulled all documents that were requested.

23

24

25

I believe that they were related all to our -- well, any documents related to the rebid I believe was what was requested.

1

Gorris

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So that would have been

3

everything that I had related.

4

Q When you gathered that to give to
the attorneys, did you read the substance of any
of those documents?

7

A No.

8

Q Were you asked to gather any
communications that you had had with Mr. Ashmore
as part of that process?

11

MR. KLEIN: I'm going to
object to the extent that it asks
for, it infers that you're asking
for communication between
counsel.

16

MR. MAIR: I'll change it.

17

Q Did you search for any
communications between yourself and Mr. Ashmore
in order to give them to the attorneys?

20

A I cannot recall how I conducted
the search.

22

I know I went through all my
files from those years.

24

I am sure that if I had any
direct e-mails to Mr. Ashmore that I sent them.

1

Gorris

36

2

Q Let's talk a little bit about the
HUD rebid process.

4

A Okay.

5

Q The PBCA work that's awarded by
HUD can only be awarded to a public housing
authority; is that correct?

6

A Yes.

7

Q And over the years CGI has sought
to enter into partnerships with public housing
authorities as a subcontractor doing some or all
of the PBCA work for that location, correct?

8

A Yes.

9

Q And at the time HUD announced
that it was going to rebid the PBCA work, CGI
was a subcontractor for a number of states,
correct?

10

A Yes.

11

Q And at that point in time CGI was
a subcontractor for a total of something in the
region of 270,000 units; is that correct?

12

A That's a close approximation,
yes.

13

Q 267,000; is that correct?

14

A I don't know. I would -- that's

1

Gorris

37

2

very close to what my knowledge is.

3

Q And when HUD announced that it was going to rebid the PBCA work, CGI saw this as an opportunity to try to increase the number of units that it was subcontractor for, correct?

7

A Yes.

8

Q And the initial approximate number of units that CGI was targeting was somewhere in the region of 900,000; is that correct?

12

A I don't recall.

13

Q You mentioned earlier you were part of a team at CGI headed by Ms. Carragher, whose responsibility it was to handle the rebid process of the PBCA, correct?

17

A Yes.

18

Q And was that group internally referred to as the rat pack?

20

A Yes.

21

Q And while Mr. Ashmore worked for the company, during a period of time he was on the rat pack, correct?

24

A I -- yes. Yes.

25

Q And the rat pack essentially

1

Gorris

38

2

comprised Ms. Carragher and her direct reports;
3 is that fair to say?

4

A Yes.

5

Q I'm going to show you what was
6 marked yesterday as Plaintiff's Exhibit 1, which
7 is an organizational chart.

8

If you take a look at Ms.
9 Carragher's group in that organization, leaving
10 aside Diane Wright, is it fair to say that all
11 of those people listed were part of the rat
12 pack?

13

A (Perusing document.) Yes.

14

Q And Michael McManus was also part

15 of the rat pack?

16

A Yes.

17

Q And throughout the rebid process
18 the rat pack met on occasion and had numerous
19 conference calls to strategize and implement the
20 rebid, correct?

21

MR. KLEIN: Object to the

22

form.

23

A Yes.

24

Q And were you part of that process
25 from beginning to end?

1

Gorris

39

2

A Yes.

3

4

Q And I understand it's ongoing,
but by "end" in this case, I'm referring to the
point at which the rebid proposals were put in
in the initial rebidding of that ACC contract?

5

6

7

8

9

10

11

12

13

14

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24

25

A Yes.

Q Now, at some point during that
process HUD announced to the industry that it
was considering putting in place certain
restrictions on both public housing authorities
and subcontractors, correct?

A Yes.

Q And one of those restrictions was
a restriction on the number of units that any
public housing authority or subcontractor could
apply for in the rebid, correct?

A Yes.

Q It was known as the unit cap?

A Yes.

Q And initially HUD announced it as
a proposal to the industry that it was
considering imposing, correct?

MR. KLEIN: Object to the
form.

1

Gorris

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A I don't recall if -- how they
made the announcement.

4

Q You don't recall whether they
announced it, first of all, as a proposal and
later on as a decided upon restriction; is that
what you're saying?

8

A I do not recall if they first put
it out as a proposal or if it was first put out
as a this is how we are going to proceed.

11

Q When HUD first talked about a
unit cap, the rat pack started strategizing
about how to deal with a unit cap, correct?

14

MR. KLEIN: Object to the
form.

15

A Yes.

17

Q And is it fair to say that
initially the rat pack's strategizing comprised
two different elements, one was a lobbying
effort to try to ensure that no unit cap was
actually implemented as part of the rebid
process?

23

A Can you restate the question?

24

Q Yes.

25

As part of its strategizing, did

1

Gorris

2

the rat pack come up with ways in which they
could lobby HUD to try to persuade HUD not to
implement the unit cap?

5

A That is not my recollection.

6

Q Tell me your recollection.

7

A There was the -- there was one
big facet of what our strategy would be would be
to not have the unit cap.

10

I don't recall the rat pack team,
other than generally talking about it, being
involved with the lobbying effort.

13

I believe that that was something
that was not handled directly on that call, as
part of that team meeting.

16

Q So let me see if I understand.

17

You're saying there was
discussion amongst the rat pack about CGI's
lobbying efforts, but the rat pack was not
directly involved in directing those efforts?

21

A Not the entire rat pack.

22

Q A subgroup of the rat pack was?

23

A I don't -- I believe they were
working actually with the, with individuals in
Fairfax.

41

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Gorris

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Q Regardless of who was directing
the effort, it's fair to say that one strategy
that CGI was implementing as part of the rebid
was to try to persuade HUD not to impose a unit
cap, correct?

3

4

5

6

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9

A Yes.

Q And at that point in time, a

final decision had not been reached by HUD on
the unit cap, correct?

10

11

12

13

14

15

16

MR. KLEIN: Object to the

form.

17

18

A I do not know.

There was a break between when we
were aware of it and when the invitation to bid
was released.

19

20

21

22

23

24

I have no idea if HUD's mind was
made up or not.

25

Q So sitting here today, you don't

recall there being a period of time during the
period that you were on the rat pack where HUD
had announced that it may impose a unit cap
restriction, but that it had not yet made a
final decision?

MR. KLEIN: Object to the

1

Gorris

2

form.

3

Q Is that correct?

4

A No.

5

Q It's not correct?

6

A There was a period of time when
HUD made the announcement of a unit cap to the
time that the invitation was released, in which
we looked at ways to lobby, which were handled
mostly outside of the rebid team call.

11

Q During that period of time, was
it your understanding that HUD had made a final

decision that there was going to be a unit cap?

14

A It was my understanding that HUD
had every intention to proceed down that route.

16

I have no idea how final their
decision was.

18

Q Was there a discussion on some of
these rat pack calls about how final the HUD
decision was?

21

A Yes.

22

Q And what do you recall about
those discussions?

24

A I recall that we felt there was
at least enough room there to try and lobby, and

1

Gorris

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there was also an understanding that we should
be prepared for that.

4

Q An understanding that the rat
pack should be prepared for the eventuality that
the lobbying was unsuccessful, correct?

7

MR. KLEIN: Object to

8

form.

9

A We should be prepared for all
options.

11

Q So during the rebid process, the
rat pack discussed various options that CGI
could utilize in the event the unit cap stuck;
is that correct?

15

A Yes.

16

Q And that was discussed over a
number of months of rat pack phone calls and
meetings, correct.

19

A I don't recall the time frame,
but it was several, several calls, at least
several months, I would imagine.

22

Q When you say you would imagine,
are you saying that your recollection is not
clear on that today?

25

A My recollection is not clear.

1

Gorris

45

2

Q Initially the number of units
that HUD was talking about for the cap was
300,000, correct?

5

A That sounds correct, yes.

6

Q And later on they increased that
number to 400,000, correct?

8

A Yes.

9

Q And ultimately when the proposal
came out, it was slightly over 400,000, correct?

10

A I believe it was a percentage,
so, yes.

11

Q It was a percentage of the total
units under the overall PBCA program, correct?

12

A Yes.

13

Q Now, at some point in time there
was a discussion amongst rat pack members of the
possibility of forming new corporate entities in
order to get around whatever unit cap was put in
place, correct?

14

MR. KLEIN: Object to the
form.

15

A I would not call it a discussion.

16

Q What would you call it?

17

A My recollection is that it was

1

Gorris

46

2 mentioned on one call in which it was very
3 shortly after HUD announced the potential of the
4 unit cap, that it may have -- it was probably
5 the first call after HUD announced the unit cap,
6 that Marybeth started off the call just by
7 trying to get everybody refocused, because it
8 was a surprise, and that she said that she's
9 gotten a number of different ideas, I recall her
10 mentioning that idea specifically, and that she
11 said that that is not something we will be
12 pursuing and that was where the discussion began
13 and ended.

14 Q Let me see if I understand your
15 answer correctly.

16 Your recollection sitting here
17 today is that the first time the idea of setting
18 up separate corporate entities to get around the
19 unit cap was discussed was also the very last
20 time that it was discussed, is that your
21 recollection?

22 A Yes.

23 Q Is that a definitive recollection
24 sitting here today?

25 A That's the only discussion I can

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Gorris

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remember us having.

3

Q And are you certain sitting here
today that the first time that was discussed Ms.
Carragher said on that occasion that it was not
an option that would be discussed any further?

7

A I recall her saying that it was
not something that we were looking to pursue.

9

Q And you are testifying that in
the first call that it was ever discussed she
said that?

12

A That's what I recall, yes.

13

Q I just want to make sure I
understand what you're saying.

15

Are you telling me that you don't
recall it being discussed in any other call, or
are you telling me that you recall definitively
that it was not discussed in any other call?

19

MR. KLEIN: Object to the
form.

21

A If it was ever brought up again,
it was never something that was discussed or
pursued with any type of energy.

24

It may have been mentioned for
ten seconds or by somebody else, but it was

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Gorris

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never a strategy, an option or anything else.

3

Q I understand that it might not have been pursued.

5

My question is, is it your recollection that the concept may have been discussed for however short a period of time in more than one rat pack call?

9

MR. KLEIN: Object to the form.

11

A I don't remember it ever being discussed on a rat pack call again.

13

Q You don't recall it being discussed, but you are not able to say definitively that it was not discussed on any other call; is that correct?

17

MR. KLEIN: I believe his answer was "I don't remember."

19

MR. MAIR: I'm asking the witness.

21

MR. KLEIN: But he has answered the question.

23

MR. MAIR: Well, then you have an objection and that's noted.

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Gorris

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A Can you repeat the question?

3

Q Yes.

4

Sitting here today, Mr. Gorris,
can you tell me categorically that the only time
the concept of potentially setting up multiple
corporate entities to get around the unit cap
was discussed was on only one occasion?

5

A No.

6

Q Now, when the concept of setting
up multiple corporate entities to get around the
unit cap was brought up, is it your recollection
it was brought up by Ms. Carragher?

7

A She brought it up in that

8 meeting.

9

I believe that she was responding
to something somebody else had brought up to
her.

10

We were all thinking, trying to
think of ideas.

11

I may have even brought it up to
her, I don't recall, but I know that we were all
coming up with, trying to figure out how to get
around this.

12

Q Is it fair to say that the rat

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Gorris

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pack was brainstorming for ideas that may or may
not be used to get around the unit cap?

4

A Yes.

5

6

7

8

9

10

Q And as part of that
brainstorming, did Leslie Pierce come up with an
idea that maybe outside corporate entities could
be used for the rebid and then ultimately CGI
could acquire those corporate entities after the
contract was awarded?

11

12

MR. KLEIN: Object to the
form.

13

A No.

14

15

16

17

18

19

20

Q Did anyone ever discuss on any
phone call or in-person meeting or informal
discussion at a bar or somewhere else the
concept, as a proposed concept, that CGI might
be able to set up corporate entities outside of
CGI for the rebid and then after the contract
was awarded reacquire those entities?

21

A Not in my presence.

22

23

Q You are stating that
definitively?

24

A Yes.

25

Q So let's leave aside the part

1

Gorris

51

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about reacquiring or acquiring these entities
after the contract was awarded.

4

A Okay.

5

Q Tell me everything you remember
about the discussions of the concept of setting
up outside corporations that could be used to
get around the unit cap.

9

MR. KLEIN: Object to the
form.

10

A The only discussion I remember
was the one I previously referenced in which
Marybeth brought up that the suggestion had been
made to pursue this with outside companies owned
by current members of CGI and that this was not
something that we would pursue.

17

I believe we joked about it for a
couple of minutes and then moved on to the next
item on the agenda.

20

Q So in that conversation, I'm
sorry, and that was a rat pack call that you
recall?

23

A It was with the full team
members. So, yes, it would have been a rebid
call.

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Gorris

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Q Was that a call that Mr. Ashmore
3 was present on?

4

A I do not know.

5

6

7

8

Q In that call Ms. Carragher said
that a concept had been raised of some of CGI
directors setting up outside companies for the
rebid process, correct?

9

10

MR. KLEIN: Object to the

form.

11

12

13

14

15

16

A She indicated that the concept
had been raised, that -- I don't recall the
number of people, but where it was, where the
idea was that we had a separate company set up
by a director or directors, I don't recall the
numbers.

17

18

Q And that was referring to the
directors that reported in to Ms. Carragher?

19

A Yes.

20

21

22

23

24

Q Ms. Carragher also said during
that call that the concept that had been
proposed was that those outside companies set up
by the directors at some point in the future
would become part of CGI, correct?

25

MR. KLEIN: Object to the

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Gorris

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form.

3

4

A I do not recall that ever being part of that discussion --

5

Q That was -- I'm sorry?

6

A -- or any discussion.

7

8

Q You understood that to be the implication of what was described by Ms. Carragher as having been proposed, the implication being that after HUD awarded the contract, those outside director companies would somehow become part of CGI again, correct?

9

10

11

12

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MR. KLEIN: Object to the

form.

A We never discussed it in that

detail. So, no.

Q It's fair to say that from the

rat pack call that you recall, Ms. Carragher referenced that there had been discussions prior to that about the idea of setting up outside companies that would be headed by CGI directors, correct?

MR. KLEIN: Object to the

form.

A I don't recall if it was

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Gorris

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discussions or somebody sent an e-mail or what.

3

I don't know, I don't recall how it came to her
attention.

5

Q She didn't say that in the call?

6

A I don't remember if she did.

7

Q So it's fair to say that the call
that you remember the rat pack having was a call
where Ms. Carragher described the concept of CGI
directors setting up outside companies for the
rebid to get around the unit cap and stated that
that concept was not going to be pursued; is
that a fair description of what you recall?

14

A Can you repeat that? I'm sorry.

15

Q Yes.

16

MR. MAIR: Can you read
that back, Margaret?

18

(Whereupon, the record was

19

read back by the reporter.)

20

A Yes.

21

Q Can you place that conversation
as to when it occurred?

23

A I don't recall dates, but I know
it was immediately, and by "immediately," I mean
within a day, I believe, of HUD making the

1

Gorris

55

2

announcement on the cap.

3

Q That's the announcement where
they stated that there would be a unit cap?

4

A Yes.

5

Q Do you recall that announcement
being made in June of 2010?

6

A I don't recall.

7

MR. MAIR: Mark this as

8

Exhibit 19. It's an e-mail from
William Durivage dated June 9,
2010, together with an attachment
that is headed "CAOM/PBCA
Conference Call June 9, 2010."

9

(An e-mail from William

10

Durivage dated June 9, 2010,
together with an attachment that is
headed "CAOM/PBCA Conference Call
June 9, 2010," was marked as
Plaintiff's Exhibit 19 for
identification, as of this date.)

11

BY MR. MAIR:

12

Q Mr. Gorris, can you take a look
at what we have marked as Exhibit 19.

13

MR. MAIR: While you are

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Gorris

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reviewing that, we will put a
statement on the record.

4

As we agreed in

5

yesterday's deposition of Mr.
Kyprianou, some of the exhibits
that I'm using today do not have
the CGI production number or
confidentiality designation on
them and so we are going to treat
all of the exhibits as
confidential until I locate those
numbers, put them on the
document, we agree upon it, and
we agree as to those that are not
confidential.

17

MR. KLEIN: That's a fair
statement and we still will rely
upon the agreed-to
confidentiality agreement
regarding the treatment of the
confidential language within the
transcript of all the witnesses.

24

25

MR. MAIR: Yes, we'll
follow the procedure in the

1

Gorris

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confidence stipulation.

3

MR. KLEIN: Perfect.

4

A (Perusing document.)

5

Q You received this e-mail on or

6 about June 9, 2010?

7

A I'm sure.

8

Q You are listed as a recipient?

9

A Yes.

10

Q You don't have any reason to

11 believe you didn't receive it?

12

A I have no reason to believe I
13 didn't.

14

Q Now, are you familiar with the
15 CAOM/PBCA conference call that's referred to in
16 that document?

17

A Yes.

18

Q It's a conference call that HUD
19 had with the industry in general to announce
20 updates on the PBCA rebid process; is that fair
21 to say?

22

A Correct, yes.

23

Q And Debra Lear was the HUD
24 official that typically handled the call?

25

A She moderated, yes.

57

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Gorris

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Q And if you take a look on both of
the attachments, that's labeled "Minutes of the
meeting," on Page 4, at the bottom of the page
it refers to the fact that there is going to be
a 400,000 unit cap.

7

Do you see that?

8

A Yes.

9

Q Now, does that refresh your
recollection as to when HUD announced that it
was going to implement the unit cap?

10

11

12

13

MR. KLEIN: Object to the

form.

14

A No.

15

16

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19

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24

25

Q Initially when HUD announced that
it was considering restrictions on the rebid
process, HUD said that it was considering a 10
percent profit restriction; isn't that correct?

A At some point in time that was
part of their discussion, yes.

I don't recall if initially, I
don't recall if that was part of their initial
discussions, but at some point that was.

Q And then at a further point along
the process HUD announced that it had decided

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Gorris

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not to implement a profit restriction, correct?

3

A Yes.

4

Q And if you take a look at the page after the page that we were looking at in the minutes of the conference call, unfortunately they are not numbered, it begins at the top "New ACC"?

5

A Yes.

6

Q In the second bullet point it states, "A lot of concerns about the profit caps/admin fees, that has been taken out."

7

Do you see that?

8

A (Perusing document.) Yes.

9

Q So does that refresh your recollection that it was at the point of this June 9th call that HUD announced that it was not going to pursue the profit restriction?

10

A (Perusing document.) Yes.

11

Q And does that help you place June 9, 2010, as also being the point in time that HUD announced that it was definitely going to include a unit cap?

12

A No.

13

Q You don't recall one way or the

1 Gorris

60

2 other?

3 A No, not based on what I'm
4 reading.

Q And it doesn't help refresh your
recollection?

7 A I'm still not certain.

8 Q Is it your recollection that at
9 the time HUD announced that it had decided not
10 to impose the profit restriction, it also
11 announced that it was going to move ahead with
12 the unit cap restriction?

13 A I don't know for certain. No, I
14 don't know. I don't remember. I'm sorry.

15 Q You don't remember?

16 A No.

17 Q You've mentioned the conference
18 call in which Marybeth Carragher said that CGI
19 was not going to pursue the idea of setting up
20 outside corporations that would be headed by
21 directors.

Do you recall that testimony?

23 A Yes.

Q Other than that, during the course of the PBCA rebid, did the rat pack

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Gorris

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discuss other strategies that could be used or
potentially used to be able to bid on units
above the unit cap if it were imposed?

4

A Yes.

6

Q What other strategies were
discussed or potential strategies were
discussed?

9

10

A One obviously is the lobbying
effort to remove it.

11

12

The other one that I recall is
that we would partner -- that we would have our
partners do a higher percentage of the work so
that those units didn't count against our unit
cap.

16

17

Q At some point in time HUD
announced that a subcontractor who performed
less than 50 percent of the work would not have
those units count against its unit cap; is that
correct?

21

A Correct.

22

23

Q And the way HUD defined less than
50 percent of the work was that the
subcontractor would have to employ fewer than 50
percent of the full-time equivalent employees

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Gorris

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that did certain tasks on the projects, correct?

3

MR. KLEIN: Object to the
form.

4

A Yes.

5

Q And essentially the tasks that
the subcontractor would have to employ fewer
than 50 percent of the FTEs for were the main
day-to-day work under the PBCA contract,
correct?

10

A Not -- no.

11

Q How is that incorrect?

12

A We looked at what work the
subcontractor would be doing on an individual
basis. We -- it wasn't necessarily all going to
be the same work.

13

Q The idea that a subcontractor
would not be held to the unit cap if they did
less than 50 percent of the work was referred to
at CGI as 49/51, correct?

14

A Yes.

15

Q And the working assumption, at
least during some period of time by the rat
pack, was that if CGI employed fewer than
50 percent of the full-time equivalent

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1

Gorris

2

employees, then it would not have the units for
that particular state counted against its unit
cap, correct?

5

MR. KLEIN: Object to the
form.

6

A Yes.

7

Q Let me show you what we marked
yesterday as Exhibit 14, which is produced as
CGI 5043 and 7694 confidential (handing).

8

A (Perusing document.)

9

Q Mr. Gorris, can you take a moment
to look at Exhibit 14, which is an e-mail dated
May 17, 2010, together with the attachment?

10

MR. MAIR: This is the one
that was missing a page. I have
another copy.

11

So do you want to call the
other copy 14A?

12

MR. KLEIN: I don't have a
problem.

13

MR. MAIR: Off the record.

14

(Discussion off the record.)

15

THE WITNESS: Can we take
a short break?

1

Gorris

2

(Whereupon, at 11:46 a.m., a

3

recess was taken.)

4

(Whereupon, Exhibit 14 was

5

remarked to include all pages.)

6

(Whereupon, at 12:07 p.m.,

7

the deposition resumed without Ms.

8

Holmes present.)

9

BY MR. MAIR:

10

Q Mr. Gorris, during the rebid process, is it fair to say that there was constant e-mailing of Excel spreadsheets and PowerPoint presentations to the rat pack members for purposes of discussing the rebid?

15

MR. KLEIN: Object to the form.

17

A Yes.

18

Q And if we look at Exhibit 14, is this an example of one of those?

20

MR. KLEIN: I don't believe Mr. Gorris was a recipient.

23

Q You were not a recipient on this e-mail, I see, so if you look at the group of people that were recipients, can you

1

Gorris

65

2

characterize what group of people this is in
terms of whether they are in the rat pack,
whether they're a subset of the rat pack or
whether they're above the rat pack?

6

A I would characterize them as
being above the rat pack.

7

Q If you take a look at the
PowerPoint that is attached to the e-mail dated
May 17, 2010, and it's headed "HUD PBCA
opportunity senior management committee progress
update."

13

Do you see that?

14

A Yes.

15

Q Have you ever seen this document
before or a version of this document or a draft
of this document?

18

A I haven't reviewed it, so ...

19

Q Take a moment to review it.

20

A (Perusing document.) I'm familiar
with the information in here. I don't know if
I've seen this exact one, but it's very
familiar.

24

Q You have seen one that was
similar, if not the same one?

1

Gorris

66

2

A The information in here I've
seen, yes.

4

Q If we turn to Page 4, which for
the record is the page that was missing in the
exhibit when it was originally marked yesterday,
but has not been added to Exhibit 14.

8

A (Perusing document.)

9

Q You are familiar with the
information on Page 4, correct?

10

A Yes.

12

Q And this reflects the lobbying
effort that CGI was undertaking to try to get
HUD to decide against a unit cap; is that fair
to say?

16

A To the best of my knowledge, yes.

17

Q And at this point in time, as of
May 17, 2010, HUD had not made a final decision
on whether or not to implement the unit cap,
correct?

21

A I don't know how final their
decision was in their mind.

23

Q Well, in terms of what was being
discussed within the rat pack that you were
involved with, am I correct that the discussion

1

Gorris

67

2

within the rat pack was HUD has not reached a
final decision at this point to implement the
unit cap?

5

A We were hopeful that we could
change, however long the decision-making process
were, we could affect that decision to be more
favorable for us.

9

I don't know, I don't know how
firm they were at HUD on the unit cap.

10

Q If you look on Page 4 in the
second bullet point, it states, quote,
"Optimistic that cap can be removed," close
quote.

15

Do you see that?

16

A Yes.

17

Q Is it fair to say that around
that point in time, the middle of May, there was
a discussion amongst rat pack members that CGI
was optimistic that the unit cap could be
removed?

22

MR. KLEIN: Object to the
form.

23

A I don't recall.

24

Q Take a look at the next page,

1

Gorris

68

2

that's Page 5.

3

Do you see the first section that
is headed "If unit cap"?

4

A Yes.

5

Q And that section describes in
general the strategy that was being discussed
within CGI that if the unit cap did remain in
place for the rebid process, CGI would bid on
one group of states and stay within the 300,000
unit cap, and then bid on a second group of
states under what we earlier discussed as the
49/51 arrangement?

6

A Correct.

7

Q And if you look at the next
bullet point that says, "options for 51 percent
partner," there is a table next to that that
lists the pros and cons of different prime
partners, correct?

8

A Yes.

9

Q And under the pros for a PHA as
CGI's partner, it states, quote, "Willing to
transfer 51 percent to CGI after first year,"
close quote.

10

Do you see that?

1

Gorris

69

2

A (Perusing document.) Yes.

3

4

Q And that concept was discussed in
rat pack conference calls, correct?

5

6

MR. KLEIN: Object to the
form.

7

A Yes.

8

Q The concept that was discussed at
a certain point in time by the rat pack was the
concept that for the states that were bid with
CGI as the 49-percent subcontractor, the public
housing authority may be willing to transfer
back the other 51 percent of full-time
equivalents after the rebid had been awarded,
correct?

16

A Yes. Yes.

17

Q And CGI had an initial discussion
with at least one PHA about that concept,
correct?

20

A I don't know.

21

Q You spoke to the Denver Housing

22

Authority, correct?

23

A Yes.

24

Q You were the primary CGI contact

25

with the Denver Housing Authority?

1

Gorris

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2

A Yes.

3

4

Q And you met with executives of
the Denver Housing Authority to discuss the
49/51 scheme, correct?

5

MR. KLEIN: Object to the
form.

6

7

MR. MAIR: And if the
objection is to the terminology,

I apologize.

8

Q You met with the Denver Housing
Authority executives to talk about the 49/51
bidding concept, correct?

9

(Whereupon, at 12:15 p.m.,

10

Ms. Holmes enters the room.)

11

A Yes.

12

Q And you met with the finance

13 director; is that correct?

14

A I believe that was her position,

15 yes.

16

Q And you also met with the
executive director?

17

A He was involved in some of the

18

conversations that we had over the course.

19

He wasn't involved in all the

1

Gorris

71

2

conversations.

3

Q And so let me expand my question
4 to include in-person meetings and conversations
5 that you had with the Denver Housing Authority.

6

You had discussions regarding the
7 49/51 bidding concept, correct?

8

A Yes.

9

Q And at some point in those
10 discussions you raised the possibility of a
11 transfer back of 51 percent after the bidding
12 was awarded, correct?

13

MR. KLEIN: Object to the
14 form.

15

A I don't recall that. I don't
16 believe we did.

17

Q So sitting here today you don't
18 remember discussing that with the Denver Housing
19 Authority; is that your testimony?

20

A I don't recall that being part of
21 the discussion.

22

Q But you're not able to say
23 definitively that it was not, correct?

24

A I guess I can't.

25

I'm almost positive it wasn't,

1

Gorris

72

2

but I guess I don't recall.

3

Q And sitting here today, is it
fair to say that of the public housing
authorities -- well, strike that. Let me start
with something else.

7

What other public housing
authorities were you the primary contact with?

9

A The Oakland Housing Authority,
Denver, as you mentioned, the Chicago Housing
Authority and the Housing Authority of St. Louis
County.

13

I believe that's all of them.

14

Q Now, in your discussions with any
of those housing authorities, did you at any
time raise as a concept or a possibility the
idea that you could bid with them under the
49/51 arrangement and that they could transfer
back to you some of the 51 percent or all of the
51 percent after the bids were awarded?

21

A It was never a major part of it,
and I don't recall ever having that discussion.

23

Q When you say, "It was never a
major part of it," am I correct that you don't
recall definitively sitting here today whether

1

Gorris

73

2

at some point in the process that concept was
floated with one or more of those housing
authorities?

3

4

MR. KLEIN: Object to the
form.

5

6

A I don't believe it came up with
any of those authorities.

7

8

9

10

11

Q Well, when you said earlier that
it wasn't a major part of the discussion, what
did you mean by that?

12

13

A I meant if it was ever mentioned
that that never became a focus of it.

14

15

It was never about switching it
back.

16

17

18

19

Q So that discussion, if it was
raised with one of those housing authorities,
didn't progress further than an initial
discussion; is that fair to say?

20

21

MR. KLEIN: Object to the
form.

22

23

24

A It was never -- I don't remember
it ever being part of our working plans with any
of those housing authorities.

25

Q I want to distinguish between

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Gorris

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what your working plans were, what you decided
3 to go with or didn't decide to go with.

4

My question is focused on whether
5 the idea or the concept was ever raised, however
6 preliminarily, at any point in time in your
7 discussions with any of the four housing
8 authorities that you were the primary contact
9 with?

10

A I don't recall it ever being
11 raised.

12

Q Now, other directors reporting to
13 Ms. Carragher were the primary contacts with
14 other housing authorities, correct?

15

A Correct.

16

Q In the discussions during the rat
17 pack calls where the concept of potentially
18 having a housing authority transfer back the
19 51 percent after the bid was awarded was
20 discussed, was it ever discussed that any of
21 those other directors would discuss that
22 concept, however preliminarily, with any of the
23 housing authorities that they were the contacts
24 with?

25

A I don't recall.

1

Gorris

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4

5

Q When during the course of the rebid process did the rat pack discuss the possibility of the 51 percent being transferred back by the Housing Authority after the rebid?

6

7

8

A I believe it was fairly early on, you know, when we were just looking at all the different possibilities out there.

9

Q Looking at what we marked as Exhibit 14, which is the PowerPoint spreadsheet, it's fair to say that that concept of transferring back the 51 percent after the rebid was still being discussed as of May 17, 2010, correct?

15

16

MR. KLEIN: Object to the form.

17

18

A I can't answer, because I wasn't part of this meeting.

19

20

I'm not comfortable answering that.

21

22

Q Well, let me ask you something different.

23

24

25

The Exhibit 14 PowerPoint presentation is a presentation of a type that you had seen throughout your time in the rat

1 Gorris

2 pack, correct?

3 MR. KLEIN: Object to the
4 form.

5 A The material in here, I've seen
6 most of the material before, yes.

7 Q And this, Exhibit 14, is a
8 PowerPoint presentation that is giving a
9 progress update to the senior management of CGI,
10 correct?

11 If you look back at the first
12 page of that presentation, Page 2 of the
13 exhibit.

14 A That is what it is titled.

15 Q Do you have any reason to believe
16 that the information that was given in that
17 senior management committee progress update on
18 May 17, 2010 was inaccurate?

19 A I have no way of knowing which
20 parts of this are completely accurate or not.

21 Q Well, my question to you is,
22 sitting here today, I understand that you
23 haven't seen this document, this precise
24 document before, but as somebody who was
25 involved in the rat pack ongoing discussions

1

Gorris

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2

throughout the rebid, do you have any reason to
believe that on May 17, 2010, an inaccurate
presentation would have been given to the CGI
senior management committee about the status of
that rebid?

7

A I have no reason to believe that
the presentation would be inaccurate.

9

I have updated and reused
previous PowerPoints before when doing
presentations to the same group over and over
again and forgotten to take pieces out. So
that's why I can't comment.

14

Q Just to be clear, you don't have
any specific reason to believe that that
happened in that case?

17

A I have no reason to believe that.

18

Q Who is Patricia Duffy?

19

A She's an employee of CGI Federal.

20

Q She was involved in the rat pack
discussions?

22

A Yes.

23

Q And she routinely circulated
materials to the rat pack members for discussion
during the calls, correct?

1

Gorris

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A Yes.

3

4

5

6

7

8

9

Now, during the course of the rat pack discussions, did you ever see any spreadsheets that modeled out under a 49/51 bidding arrangement what number of full-time equivalent employees would be employed by CGI and what number would be employed by the housing authority?

10

A At least for the states I was

involved with, probably all, yes.

11

Q You did see that?

12

A Yes.

13

Q You saw that being modeled out under a 49/51 arrangement, or under some other arrangement or both?

14

MR. KLEIN: Object to the

15

form.

16

A I think both. There were a lot of spreadsheets going around during that time

period.

17

I know I saw the modeling for the states I was involved with, and I believe it was probably included in other material.

18

My focus was more on the states I

1

Gorris

79

2

was involved with.

3

Q Well, were any of the states that
you were involved with ultimately bid under a
49/51 arrangement?

6

A I'm trying to get the different
bids in my mind separated.

8

MR. KLEIN: You are
9 talking about the first round?

10

A Right, right.

11

Q Yes, I'm talking about the first
12 round.

13

A Yes, yes.

14

Q Has there been more than one
15 round of bidding?

16

A Yes.

17

Q Just so we can try to pinpoint
18 this in time, when approximately was the first
19 round of bidding?

20

A It would have been, I believe the
21 response for proposals was around April 2011.

22

Q That was the first round of
23 bidding?

24

A Yes.

25

Q And of the states that you were

1

Gorris

80

2

responsible for, which ones in that April 2011
time frame bidding were bid under a 49/51
arrangement?

5

A Denver, Missouri and Wisconsin.

6

Q And who were the public housing
authorities that you teamed up with in each of
those?

9

A Denver was the Denver Housing
Authority.

11

Missouri was the Housing
Authority, St. Louis County, and Wisconsin was
the Chicago Housing Authority.

14

Q For those three states, Denver,
Missouri and Wisconsin, did you see specific
modeling as to how the 49/51 staffing
arrangement would work?

18

A Yes.

19

Q And who did that modeling?

20

A I believe Panos Kyprianou and
Michael McManus.

22

Q You saw that modeling in a
spreadsheet; is that correct?

24

A A variety of formats I'm sure,
but, yes, a spreadsheet.

1

Gorris

81

2

Q You did see it in a spreadsheet
format?

4

A Yes.

5

6

Q And were spreadsheets exchanged
with the housing authorities involved in those
bids that showed which FTEs would be employed by
the Housing Authority and which would be
employed by CGI?

10

11

12

13

14

15

A I don't recall the format, but I
think the content, as far as the information
that you described, which employees would be --
the modeling in which employees would belong to
CGI and which employees would belong to the
housing authority was provided.

16

17

Q When you say "provided," what do
you mean?

18

19

A We sent them the information. It
was either in e-mail, Word, PDF, I don't recall.

20

21

Q And what level of specificity was
that information when it was provided to the
housing authority?

23

24

A Could you -- I'm not --

25

Q Let me rephrase it.

Did you identify exactly which

1

Gorris

82

2

positions would be filled by employees of CGI
versus the Housing Authority?

4

A We were pretty specific in the
positions, the groupings of the positions, so,
yes.

7

Q Are you familiar with the tasks 1
through 6 of the ACC?

9

A I'm familiar with them, just not
the order.

11

Q For a subcontractor to exclude
units from its unit cap, it had to employ fewer
than 50 percent of the FTE positions for the
tasks listed in Items 1 through 6 of the ACC,
correct?

16

A I believe that's correct, yes.

17

Q Did you discuss with any of the
three housing authorities involved in the
Denver, Missouri or Wisconsin bids the concept
that CGI would provide to them or transfer to
them the employees that would fill the
51 percent of positions for Tasks 1 through 6 of
the ACC?

24

MR. KLEIN: Object to the
form.

25

1

Gorris

83

2

A No.

3

Q Was there any discussion as to
how the housing authority was going to find the
people to do 51 percent of that work?

4

A I don't recall detailed

5 conversations.

6

There might have been brief
discussions, but, no, no substantial
7 discussions.

8

Q So in the case of the Denver
Housing Authority, you initially approached the
Denver Housing Authority with the concept of a
14 49/51 bid, correct?

15

A We brought the idea to them.
They did not bring it to us.

16

Q And when you say "we," you were
involved in that discussion?

17

A Yes.

18

Q And was Panos Kyprianou also
involved in that discussion with them?

19

A He was involved in several of the
discussions with Denver, not all of them, so I
can't say about that one specifically.

20

Q Initially Denver was reluctant to

1

Gorris

84

2

go along with a 49/51 bid; is that fair to say?

3

A I don't recall.

4

Some partners were fine with it,
others might have been more reluctant during our
discussions.

7

I quite honestly can't separate
which ones were more enthusiastic.

9

MR. MAIR: I'm going to
mark as Exhibit 20, it's going to
be an e-mail exchange between
Mr. Gorris and Sarasu Zachariah,
that's S-A-R-A-S-U, new word,
Z-A-C-H-A-R-I-A-H.

(An e-mail exchange between
Mr. Gorris and Sarasu Zachariah,
was marked as Plaintiff's Exhibit
20 for identification, as of this
date.)

20

MR. MAIR: And then
Exhibit 21 is going to be an
e-mail exchange dated June 18,
2010, where the top e-mail in the
string is from Tracey Rudy to
Mr. Gorris and others.

1

Gorris

85

2

(An e-mail exchange dated

3

June 18, 2010, where the top e-mail
in the string is from Tracey Rudy
to Mr. Gorris, was marked as
Plaintiff's Exhibit 21 for
identification, as of this date.)

4

5

6

7

8 BY MR. MAIR:

9

10

Q Can you take a look at what we

have marked as Exhibits 20 and 21 (handing)?

11

A (Perusing document.) Okay.

12

13

14

Q Exhibit 20 is an e-mail exchange
between you and Ms. Zachariah at the Denver
Housing Authority, correct?

15

A Yes.

16

17

Q Setting up a meeting for
June 17th of 2010?

18

A Correct.

19

20

Q And Exhibit 21 is, if we ignore
the first e-mail, the second e-mail is an e-mail
from you on June 18, 2010, essentially
summarizing your meeting with the Denver Housing
Authority on June 17th, correct?

21

22

23

24

25

A Yes.

Q And in that e-mail, in the last

1

Gorris

86

2

or the second to last paragraph you refer to
Ismael.

4

Do you see that?

5

A Yes.

6

Q Ismael was the executive director
of the Denver Housing Authority, correct?

8

A That's correct.

9

Q And you say "Ismael had to leave
before we brought up the split work," and by
"the split work," you're referring to bidding
under a 49/51 scenario, correct?

13

A Yes.

14

Q In the next sentence you go on to
state that "Sarasu said she would review with
him, but we got the sense that there wasn't much
of interest."

18

Do you see that?

19

A Yes.

20

Q Does that refresh your
recollection that in the initial conversation
that you had with Denver about doing a 49/51
bid, they didn't seem to be very interested?

24

A She was -- she had her concerns

about it.

1

Gorris

87

2

I think he was more receptive

3

when she shared it with him.

4

Q What were the concerns that were
expressed by Ms. Zachariah?

6

A I don't recall. I don't recall.

7

Q Is it fair to say that the Denver
Housing Authority at that point in time did not
have employees who were trained and ready to
step in to perform Tasks 1 through 6 of the ACC?

11

A I can't say for all the tasks.

12

There was probably, definitely
some skill gaps in some of the tasks.

14

Q The Denver Housing Authority was
at that time an existing partner with CGI on
PBCA work, correct?

17

A No.

18

Q They hadn't partnered with Denver
prior to that?

20

A CGI had no relation, no PBCA
relationship with Denver prior to the rebid.

22

Q Was Denver doing other PBCA work
without CGI at that time?

24

A They were doing work that was
similar, I believe.

1

Gorris

88

2

I believe they had what is known
as TCA contracts and other housing authority
work, but they were not doing PBCA work.

5

Q You weren't administering Section
8 PBCA contracts, correct?

7

A I don't know. They may have
been.

9

I'm sorry, no.

10

Q They were not?

11

A Not Section 8 PBCA contracts.

12

Q Was there ever a discussion at
any point in time that you had with anybody at
the Denver Housing Authority about who would
actually staff the 51 percent of the positions
that would be necessary for them to do the work
under a 49/51 bidding scenario?

18

A I mean, the discussion would be
that Denver would be staffing those people.

20

Q Well, was there ever a discussion
as to whether Denver had people on its payroll
who in addition to whatever else they were doing
could step in and perform the 51 percent of that
work?

25

A No. They would hire people.

1

Gorris

89

2

Q CGI had people who performed

3

Items 1 through 6 of the ACC tasks in its
current PBCA work, correct?

4

A Yes.

5

Q Was there ever a discussion that
you had with Denver about Denver hiring or using
any of those CGI folks to perform the 51 percent
of the work?

6

A Never.

7

Q You said that Ms. Zachariah was
initially not very interested in the idea of
49/51 bidding, correct?

8

A Yes.

9

Q And was part of her reluctance
the fact that they didn't have the staff to do
the 51 percent?

10

A I think it was -- I just don't
think they wanted to be bothered with all of it.
They just wanted the income.

11

Q In fact, the partnership between
CGI and the public housing authority was
extremely lucrative for the public housing
authority in the PBCA work, correct?

12

A Under the initial contracts.

1

Gorris

90

2

Q Before the rebid?

3

A Yes.

4

Q Under those contracts, the public
housing authorities did very little work for the
money that they received, correct?

7

MR. KLEIN: Object to the
form.

9

A It depended on the contract and

10 the partner.

11

Q Has CGI as of today done any work
with the Denver Housing Authority on any PBCA
contracts?

14

A Not on any PBCA contracts.

15

Q CGI has worked for the Denver
Housing Authority on other projects, correct?

17

A Yes.

18

Q What other projects?

19

A I was not specifically involved,
but it was a housing-related project.

21

Q Now, can you summarize for me the
extent of what discussions you personally had
with anyone in the Denver Housing Authority
about how they would staff the 51 percent FTE
positions in the event that that bid for PBCA

1

Gorris

91

2

work was successful?

3

A We, at that point in time, we did not have, we never had deep discussions about how they would staff it.

6

Q When you say you didn't have deep discussions, can you summarize the extent of the discussions, if any, that you did have?

9

A They would be staffing it up, we would provide support for the 51 percent, and to the extent that we could, if they needed help in recruiting, we may do that, we definitely would provide training, we would provide oversight, we would make sure that their management staff would, we would do our best to make sure they were not deeply impacted, that we would take on a lot of responsibilities to make sure that the contract was compliant and running smoothly.

19

Q You said that you provided information to the Denver Housing Authority about which positions they would have to fill under a 49/51 split; is that correct?

23

A Yes.

24

Q And that was by e-mail you provided this?

1

Gorris

92

2

A I believe so, yes.

3

4

Q Was the e-mail sent by you personally?

5

A I believe so.

6

7

8

9

10

Q Was there anybody else during that rebid process leading up to the first of the rebid submittals, was there anybody else at CGI who interacted with Denver on the details of the PBCA rebid?

11

12

13

14

A I believe -- I was the main point of contact, so I believe any discussion came from me, but Panos Kyprianou, Mike McManus may have been involved in additional conversations.

15

16

They were sometimes involved in discussions.

17

18

19

20

21

Q If the details of the 49/51 staffing split were not e-mailed by you, is there anyone other than Mr. McManus or Mr. Kyprianou who could have e-mailed that information to Denver?

22

23

24

A I don't recall anyone else being involved with at that point in time any discussions with Denver.

25

Q Who in terms of people at Denver

1

Gorris

93

2

did you speak with and e-mail with?

3

A It was -- my main point of contact was Sarasu Zachariah.

5

There may have been others included on e-mail strings, Ismael Guerrou, the director, was often included in e-mails, and I recall there being maybe one or two others. I don't recall names at this point in time.

10

Q Is it fair to say that whenever the staffing breakdown was e-mailed to Denver, it was either e-mailed to or copied to Sarasu Zachariah?

14

A Yes. Yes. She would have been on an e-mail.

16

Q Now, in terms of the St. Louis County Housing Authority that you partnered with in Missouri?

19

A Yes.

20

Q Did you have any discussions as to how the 51 percent would be staffed by St. Louis?

23

A Nothing in detail, just, again, they would be responsible for staffing their 51 percent and we would provide if we were

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Gorris

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2

successful in winning the award, we would provide support in the training, making sure that it was compliant and if they needed additional support we would find ways to support them, whether it was through helping them locate staff or whatever they asked us to do, we told them we would be available.

9

Q Did you send models to the St. Louis County Housing Authority about how the, specifically how the 49/51 staffing would work?

10

A I believe we sent models just to what numbers and what their roles would be under both CGI and St. Louis County.

11

Q And that was sent by e-mail?

12

A Yes.

13

Q Who sent it on the CGI side?

14

A It would have been myself.

15

Q Who was it sent to at St. Louis?

16

A A gentleman by the name of Chad Graham was my main point of contact at that time.

17

Q Chad Graham?

18

A Yes.

19

Q G-R-A-H-A-M?

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Gorris

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2

A I believe.

3

Q Now, what about the Chicago
4 Housing Authority, who was your main point of
5 contact there?

6

A A gentleman by the name of Eli

7 Rosario.

8

Q Was there anybody else that you

9 regularly dealt with at Chicago?

10

A There was another gentleman who
11 was often copied on e-mails, but he would have,
12 Eli would have been on everything and I do not
13 recall the other gentleman's name.

14

Q Did you provide detailed modeling
15 of how the 49/51 staffing would work with
16 Chicago Housing Authority?

17

A Only for the State of Wisconsin,
18 we provided, I believe similar to the other ones
19 mentioned, what staff would report to CGI, who
20 would report through Chicago Housing Authority
21 and what their roles would be.

22

Q You did that with respect to
23 Wisconsin, because Wisconsin was the state that
24 you were bidding under 49/51, correct?

25

A Yes.

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Gorris

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Q You also partnered with Chicago
Housing Authority to bid on other states under
the CGI unit cap; is that correct?

5

A Yes.

6

Q What states?

7

A Illinois.

8

Q Just to be clear, in the
June 17th meeting with the Denver Housing
Authority, Mr. Kyprianou was with you in that
meeting, correct?

12

A (Perusing document.) Yes.

13

Q Can you take a look at what was
marked yesterday as Exhibit 16.

15

MR. MAIR: For the record,
it's a cover e-mail from Michael
McManus dated June 25, 2010, with
a spreadsheet attached that is,
has a production number CGI 5033
confidential.

21

(Whereupon at 12:54, Ms.

22

Carragher left the room.)

23

A (Perusing document.) Okay.

24

Q Now, I see that you are not
copied on the e-mail.

1

Gorris

2

But if you turn to the

3

spreadsheet, have you seen spreadsheets like
this as part of the rebid process?

5

6

A (Perusing document.) I believe
only for the states that I was involved with.

7

8

Q If you turn to the second page of
the spreadsheet, you see at the top of the
spreadsheet, first of all, it appears to include
all of the states that CGI was considering
bidding on, correct, or approximately all of
them?

13

A Approximately all of them, yes.

14

15

Q The top portion of the
spreadsheet models out a scenario whereby CGI is
providing 90 percent or more of the FTE staffing
positions for each of the states.

18

Do you see that?

19

20

MR. KLEIN: Object to the

form.

21

(Whereupon, at 12:56 p.m.,

22

Ms. Carragher enters the room.)

23

Q Let me revise that.

24

A It's a lot of information.

25

Go ahead.

97

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Gorris

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Q If you look at the states that
you're involved in.

4

A Okay.

5

Q CGI under this modeling is
providing the majority of the staffing in each
of those states, correct?

8

MR. KLEIN: Object to the
form.

10

A Yes.

11

Q Now, did you ever see similar
modeling to this where CGI was provided only
49 percent or less of staffing for the states of
Denver, Missouri and Wisconsin?

15

A I believe I saw some modeling and
I don't recall how exactly it matched up with
this.

18

Q You saw some 49/51 modeling for
each of those states?

20

A Yes.

21

Q And in terms of the revenues, did
you see revenues for those three states modeled
under a 49/51 scenario?

24

A Yes.

25

Q Just in general terms, how did

1 Gorris

99

2 the revenue split between CGI and the public
3 housing authority differ in the 49/51 modeling
4 that you saw?

5 A I honestly don't recall how the
6 revenue differed.

7 I would have to see it.

8 Q In your discussions with Denver,
9 St. Louis or Chicago, did you discuss how the
10 profit split would differ, if at all, under the
11 49/51 bidding?

12 A We definitely discussed profit
13 under all models.

14 Q So let's take the Denver Housing
15 Authority.

16 The original bidding scenario was
17 going to be with CGI doing 100 percent of the
18 work for Tasks 1 through 6, correct?

19 MR. KLEIN: Object to the
20 form.

21 A I would say above 90 to 95
22 percent of the work.

23 Q When you had those discussions,
24 what was discussed as to the profit split
25 between CGI and Denver?

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1 Gorris

2 A I don't recall what the split
3 was.

4 Q When you discussed with Denver
5 the 49/51 bidding scenario, did you discuss
6 there being a different profit split at that
7 point in time?

8 A I believe that all of the numbers
9 had to change because they were, because of
10 their role in employing more people.

11 So the, I believe that there was
12 changes in all the numbers.

13 Q In those number changes, was
14 Denver going to receive a larger profit out of
15 the work than it was when you discussed CGI
16 doing 90 percent or more of the work?

17 MR. KLEIN: Object to the
18 form.

19 A My recollection is that they
20 would receive a larger, that the revenue would
21 be larger, their profit percentage wouldn't
22 necessarily, would definitely be smaller though.

23 My recollection is that their
24 profit percentage would definitely be smaller.

25 Q Was the discussion that they

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Gorris

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would receive approximately the same dollar amount in profits under the 49/51 scenario as they were going to receive under a scenario with CGI doing 90 percent or more of the work?

3

A I don't remember the numbers.

4

I think -- I would have to review what the profit numbers were.

5

Q I'm just trying to understand what you said.

6

When you said the revenues would go up, but their profit percentage would go down, you --

7

A Their expenses were going up greatly.

8

Q And so am I correct that the discussion in general was that they were going to receive the same dollar amount of profit as they would have under a scenario of CGI doing 90 percent or more of the work?

9

A The dollar amounts, I believe, changed.

10

I don't recall, I believe all the numbers changed, so the dollar amounts would have had to have changed.

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Gorris

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I don't recall if it went up or
3 down.

4

Q Were documents exchanged with
5 each of the three housing authorities that
6 modeled out how the revenues and profits would
7 be split under a 49/51 scenario?

8

A Yes.

9

Q Was that exchanged between the
10 same group of people on the CGI side that we
11 talked about, that's you, Mr. McManus and/or Mr.
12 Kyprianou, and the same people on the Housing
13 Authority side that you have previously
14 identified?

15

A Yes.

16

Q Were you involved in negotiating
17 any of the memorandums of understanding with the
18 three public housing authorities that you were
19 involved with?

20

A Yes.

21

Q Were you the primary person
22 negotiating the MOUs?

23

A I was the primary point of
24 contact for CGI.

25

Q In those discussions?

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Gorris

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A Yes.

3

4

5

6

Q Originally when CGI was going to do 90 percent or more of the work, you executed MOUs with each of the three housing authorities, Denver, St. Louis and Chicago, correct?

7

A Denver and St. Louis, yes.

8

9

I can't recall if Chicago, if we ever completed the MOU prior to the change.

10

Q The change in 49/51?

11

A Yes.

12

13

14

15

16

Q So the original MOUs with the Denver Housing Authority and with St. Louis County Housing Authority, were MOUs in which CGI was undertaking to do 90 percent or more of the work, correct?

17

18

19

A I do not recall how specific it is stated in it, but CGI was, the understanding was CGI was doing the bulk of the work.

20

21

22

23

Q Did CGI ever enter into new memorandums of understanding with Denver or St. Louis after the bidding for Missouri and Denver went over to 49/51 bidding?

24

A I believe, yes.

25

Q For both of those two states?

1 | Gorris

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2 A Yes.

3 Q So you recall definitively that
4 new MOUs were entered into for Denver and
5 Missouri for a 49/51 scenario?

6 A Yes.

7 Q And is it your testimony that you
8 don't remember whether Chicago, there ever was a
9 memorandum of understanding before the 49/51
10 bidding scenario?

11 A Yeah, I just -- one of the MOUs
12 we did took a while to get executed, and just
13 with the flurry of activity, I cannot recall.

14 Q And you were the point person
15 negotiating the new MOUs with Denver and St.
16 Louis?

17 A Yes.

18 Q Do you recall approximately when
19 the new MOUs were entered into?

20 A I believe they were entered into
21 after HUD released the invitation.

22 Q But before the bids were
23 submitted by CGI?

24 A Yes.

25 MR. MAIR: Let's take a

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1 Gorris

2 break.

3 Off the record.

4 (Discussion off the record.)

5 (Whereupon, at 1:07 p.m., a
6 recess was taken.)

7 (Whereupon, at 1:20 p.m.,
8 the deposition resumed without Ms.
9 Holmes present.)

10 BY MR. MAIR:

11 Q Mr. Gorris, do you recall during
12 the PBCA rebid process having an off-site
13 meeting down in Fairfax, Virginia?

14 A Yes.

15 Q And during that day, do you
16 recall having a conference call with the Denver
17 Housing Authority from somebody's hotel room?

18 A Yes.

19 Q And that was at the Hyatt Hotel;
20 is that correct?

21 A I believe so, yes.

22 Q And after the call with Denver,
23 did a number of members of the rat pack gather
24 in the hotel bar to talk?

25 (Whereupon, at 1:21 p.m.,

1 Gorris

2 Ms. Holmes enters the room.)

3 A I believe we went to dinner at
4 some point and afterwards had drinks.

5 Q Mr. Ashmore was there, correct?

6 A I honestly don't recall.

7 Q At some point that afternoon or
8 evening in either the hotel bar or the
9 restaurant, Les Pierce floated an idea along the
10 lines of, "What about we set up independent
11 companies which directors could head that could
12 submit bids on the rebid process as a way around
13 the 400,000 or other unit cap," correct?

14 MR. KLEIN: Object to the
15 form.

16 A I don't remember or I wasn't part
17 of the conversation.

18 Q But when you say you don't
19 remember, you're saying that you don't remember
20 that being said?

21 A I have no recollection of that
22 being said.

23 Q Mr. Pierce has an ownership
24 interest in one or more franchised fast food
25 outlets, correct?

1 Gorris

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2 A He does. I don't know if he
3 considers it fast food, but ...

4 Q Does he have a Honey Baked Ham
5 franchise?

6 A It's my understanding that he
7 does.

8 Q And either in this hotel in
9 Fairfax or at some point during the rebid
10 process, Mr. Pierce suggested, whether seriously
11 or not, that some similar outside company,
12 similar to the idea of his franchises, could be
13 used in order to get around the unit cap,
14 correct?

15 MR. KLEIN: Object to the
16 form.

17 A I don't recall that, him saying
18 that.

19 Q Is it your testimony that you
20 don't recall him ever mentioning any concept
21 where he referred to his food franchise and
22 linked it in some way to an idea of how CGI
23 could get around the unit cap?

24 A I don't remember him ever
25 mentioning that.

1 Gorris

2 Q Have you ever heard the term
3 "Honey Baked Ham" and PBCA?

4 A I have heard Honey Baked Ham.
5 I don't recall Honey Baked Ham
6 PBCA.

7 Q And just so I'm clear, it's your
8 testimony sitting here today that you don't
9 recall anyone ever mentioning Honey Baked Ham in
10 the context of the PBCA rebid process; is that
11 correct?

12 A I don't recall that, yes.

13 Q Can you take a look at what was
14 marked yesterday as Exhibit 15 (handing)?

15 A (Perusing document.)

16 Q This is a document produced as
17 CGI 5603 confidential, dated July 12, 2010.

18 If you need to take a minute to
19 review this, then by all means do so, but can
20 you tell me after that, have you seen this
21 document before?

22 A (Perusing document.)

23 MR. MAIR: Off the record.

24 (Discussion off the record.)

25 Q I'll reask the question.

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Gorris

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Have you ever seen Exhibit 15

3

before?

4

A I believe so, yes.

5

Q Can you tell me what it is?

6

7

A It is a document internal to CGI
that would be used as part of the many review
processes that we go through to get larger deals
approved.

10

11

12

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14

15

Q Now, if you look at Page 3 of the
document, do you see under the third bullet
point and the second subbullet point of that, do
you see that it states, quote, "Unit cap
increase from 300 K to 400 K for PHAs and
subcontractors"?

16

A Yes.

17

18

19

20

Q And during the process leading up
to the final request for proposals, HUD
increased the proposed unit cap from 300,000 to
400,000, right?

21

A Yes.

22

23

24

25

Q And it was CGI's understanding as
reflected in the next bullet point that that
limit, that unit count was going to be a limit
on proposal submissions only, right?

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Gorris

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A I don't recall, but it seems reasonable. I mean, I really don't recall that specifically, but it's in here.

5

Q Do you recall specifically the discussion within the rat pack at some point in time that the unit cap would only be applicable for the bidding and not after the contracts were awarded?

10

A I recall that at certain periods of time that was our understanding. It changed a lot.

13

Q Did CGI ever ask HUD to clarify that?

15

A I believe so.

16

Q When you say you believe so, do you have any specific knowledge of that?

18

A I can't recall specifically if -- I wasn't involved. I don't believe I was involved if that question was asked.

21

Q Can you turn to Page 22, and there is no number on it, but it appears after Page 21 that does have a page number?

24

A (Perusing document.) Okay.

25

Q Can you tell me what this page

1

Gorris

2

represents?

3

A (Perusing document.) It appears
to be the page that describes our information
about what we intend to bid on with our Ohio PHA
client, the Columbus Metropolitan Housing
Authority.

7

8

Q Were you involved in Ohio?

9

A No.

10

Q At that stage?

11

A No.

12

Q Take a look down to the, I
believe it's the eighth line that says "CGI
role."

13

Do you see that?

14

A Yes.

15

Q And it describes CGI's role as
being "prime for PHA partnership," and then in
parenthesis "(sub during HUD recompete)," close
parenthesis.

16

Do you see that?

17

A Yes.

18

Q What does that mean?

19

A I'm not, I'm not 100 percent
sure.

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Gorris

2

I don't know.

3

4

5

6

7

8

Q Does that refer to the concept
that had been discussed at one point by the rat
pack of having CGI be a 49-percent subcontractor
during the bidding process and having the other
51 percent transferred back by the housing
authority after the award of the contract?

9

A Yes. Yes.

10

11

12

13

14

15

16

MR. MAIR: I'm going to
mark as Exhibit 22, a document
that was produced as CGI 4447
confidential. It's a spreadsheet
that contains four pages,
although the last page appears to
be blank.

17

18

19

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21

22

(A document produced by CGI,
Bates stamped CGI 4447
Confidential, was marked as
Plaintiff's Exhibit 22 for
identification, as of this date.)

BY MR. MAIR:

23

24

25

Q Mr. Gorris, can you look at
Exhibit 22 (handing), and if you want to take a
moment to review it, but my first question is

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Gorris

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going to be have you seen it before?

3

A (Perusing document.) I believe so, yes.

5

Q And what is it?

6

A It just identifies the states that we were going to be pursuing, the account leads, some support, the partners, the estimated revenue.

10

Q Is this one of the documents that was circulated amongst the rat pack members during the PBCA rebid?

13

A It was circulated at some point in time, yes.

15

Q Circulated amongst the rat pack members?

17

A Yes.

18

(Whereupon, at 1:34 p.m.,

19

Ms. Holmes leaves the room.)

20

Q And just so I understand your answer, it shows, broken down by the directors who were responsible for them, a breakdown of the states that CGI was going to bid on, correct?

25

A At that time, yes.

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1 Gorris

2 further questions.

3 MR. KLEIN: Thank you,
4 Tony.

5 (Whereupon, at 1:37 p.m.,
6 the deposition was concluded.)

7
8 TONY GORRIS
9

10 Subscribed and sworn to
11 before me
12 this [REDACTED] day of [REDACTED], 2013.

13 NOTARY PUBLIC
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2 I N D E X P A G E3 Witness Examination By Page
4 Tony Gorris Mr. Mair 45
6 EXHIBITS7 Plaintiff's Description Page
8 Exhibits

9	19	An e-mail from William	55
10		Durivage dated June 9, 2010,	
11		together with an attachment	
		that is headed "CAOM/PBCA	
		Conference Call June 9, 2010"	
12	20	An e-mail exchange between Mr.	84
13		Gorris and Sarasu Zachariah	
14	21	An e-mail exchange dated June	85
15		18, 2010, where the top e-mail	
		in the string is from Tracey	
		Rudy to Mr. Gorris	
16	22	A document produced by CGI,	112
17		Bates stamped CGI 4447	
		Confidential	

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2 C E R T I F I C A T E

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STATE OF NEW YORK)

4

) ss.

5

COUNTY OF NEW YORK)

6

I, MARGARET M. HARRIS, a Shorthand

7

(Stenotype) Reporter and Notary Public of

8

the State of New York, do hereby certify

9

that the foregoing Deposition, of the

10

witness, TONY GORRIS, taken at the time

11

and place aforesaid, is a true and correct

12

transcription of my shorthand notes.

13

I further certify that I am neither

14

counsel for nor related to any party to

15

said action, nor in any wise interested in

16

the result or outcome thereof.

17

IN WITNESS WHEREOF, I have hereunto

18

set my hand this 21st day of June, 2013.

19

20 MARGARET M. HARRIS

21

22

23

24

25